

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:17-CV-23-D

WILLIAM C. YORK, )  
Plaintiff, )  
v. )                   **ORDER**  
SOCIAL SECURITY ADMINISTRATION, )  
Defendant. )

On August 24, 2017, defendant moved to dismiss [D.E. 16] plaintiff's pro se complaint and filed a memorandum in support [D.E. 17]. See Fed. R. Civ. P. 12(b)(1), (6). On September 11, 2017, plaintiff responded in opposition [D.E. 20].

This court lacks subject-matter jurisdiction over plaintiff's claim under the Federal Tort Claims Act. See [D.E. 17] 6–8. Moreover, to the extent plaintiff seeks relief under 42 U.S.C. § 405, plaintiff has failed to exhaust his administrative remedies. See id. at 8–12. Thus, the court GRANTS defendants' motion to dismiss [D.E. 16] and DISMISSES the complaint without prejudice.

SO ORDERED. This 12 day of October 2017.

  
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JAMES C. DEVER III  
Chief United States District Judge